

**SLATON INDICATES  
HE'LL**

**ACT IN THE  
FRANK CASE**

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Commutation Hearing  
Will Be-

gin Before the  
Governor

Saturday Morning

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After conferring in his Office Thursday morning with  
Attorneys representing Leo M. Frank and Solicitor Hugh M.

Dorsey, Governor John M. Slaton fixed Saturday morning at 9 o'Clock as the day and hour to begin his Hearing of the Arguments for and against Frank's Application for a Commutation of Death Sentence to Life Imprisonment.

In the course of the Conference, Governor Slaton made a remark which was generally construed by those present to mean that his purpose is not to pass Frank's Application over to his Successor, Governor-Elect Nat E. Harris, but to decide it himself.

Another feature of the Conference was a statement by Solicitor Dorsey that "Certain gentlemen out of the City had asked to be allowed to appear with him in opposition to the granting of Frank's Application." He did not call any names, nor did he make it clear whether they had yet definitely decided to appear with him.

#### NEW FRANK ATTORNEY.

Frank was represented at the Conference by W. M. Howard, of Augusta, Attorneys Harry A. Alexander, of Atlanta, and M. J. Yeomans, of Dawson, Ga., sat with Mr. Howard. It was Mr. Yeomans' first appearance in the Case.

The State was represented in the Conference by Solicitor Dorsey.

The Attorneys filed into the Governor's Private Office at 10 o'Clock, and were followed by newspaper men.

Attorney Howard made the usual formal Application for a Hearing and the Governor replied by asking what time he wanted the Hearing to begin. Attorney Howard said he was ready to start at once. The Governor asked Solicitor Dorsey when he would be ready. Solicitor Dorsey replied that his Argument would depend largely on the Argument made by Attorneys for Frank.

“OUT-OF-TOWN GENTLEMEN.”

It was here that Solicitor Dorsey mentioned the “out-of-town gentlemen who wanted to appear.” Continuing, he said he was engaged Thursday in the trial of a Murder Case and would like to postpone the Hearing before the Governor at least one day.

In reply to the Solicitor, Attorney Howard outlined the scope of the showing which Frank’s Attorneys intend to make. In substance, he said it would be practically the same as the showing made before the Prison Commission—namely, the Record of the Court Proceedings in the Case, the Letter from Judge Roan expressing a doubt as to Frank’s guilt, the Letters of Jim Conley to Annie Maude Carter in Jail, the Letter written by Mrs. Frank to the Prison Commission, the Report of physicians who examined Frank, the opinion of Albert S. Osborn, the Handwriting Expert, etc. He said the only new matters, outside of the Record of the Court Proceedings, were Judge Roan’s Letter, Mrs. Frank’s Letter, and Osborn’s opinion. He said

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the length of their rebuttal Argument would depend on the scope, and nature of Solicitor Dorsey's Argument.

Governor Slaton asked Attorney Howard how long it would take him (the Governor) to read the Record, to which Attorney Howard replied that it would take, in his opinion, about ten hours.

## GOVERNOR'S REMARK.

Then the Governor made the remark indicating that his purpose is to decide on the Application himself and not pass it over to Judge Harris. He said:

"I have my Message to the Legislature to write, and have other details of closing my Administration to dispose of, all of which will keep me very busy until the last day of my term. So, if there was any way in which the responsibility for passing on this Case could be left to my Successor, I would be inclined, owing to the shortness of time allowed me to study the Case, to do so. But since the date set for Frank's Execution, June 22, comes within my term, I would like for you gentlemen to expedite the Hearing as much as possible, to give me time to familiarize myself with the Record and the Arguments."

Solicitor Dorsey said:

"I don't believe your Excellency can read the Record in less than two days." Turning to Attorney Howard: "The motion for a

new trial consists largely of Arguments. Six or eight of the 103 grounds refer to the charge of an unfair trial. If you went into that matter, I can't say how long it would take me to reply. In other words, my Case depends on yours. If Judge Roan's Letter is stressed, I might go into that. All things considered, I would rather for the Hearing to start Saturday."

#### WHAT FRANK ASKS.

Attorney Howard said:

"We do not propose to ask your Excellency to review this Case from a Legal Standpoint. We don't want to put in more than will enable your Excellency to say whether this man is guilty or innocent, or at least to say there is a middle ground of doubt. We will simply ask your Excellency to do what no Court since the trial has had the Power to do—namely, to change the Sentence imposed upon this man from Death to Life Imprisonment. We will probably use three hours to present our Case, but in view of the vague and indefinite attitude of Solicitor Dorsey, we cannot say how much time we shall need to reply to his Argument. We would rather begin Friday."

The Governor said he felt disposed to accommodate the Solicitor and would therefore set Saturday morning at 9 o'clock to begin the Hearing. He said he would finish his Message to the Legislature in the meantime and be ready to sit all day Saturday, Saturday night until 12 o'clock, and all day Monday and into Monday night if necessary. On Tuesday morning, he would have to leave the City, he said.

Attorney Howard and Solicitor Dorsey retired to the Governor's Reception Room, and conferred as to the showing each would make.

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